
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 346

**The Land Registration etc. (Scotland) Act 2012
(Amendment and Transitional) Order 2014**

Primary legislation

Modification of the Requirements of Writing (Scotland) Act 1995 and consequential amendment

2.—(1) In paragraph 1(1) of Schedule 4 to the Requirements of Writing (Scotland) Act 1995 (minor and consequential amendments – general adaptation)(1), for “9F(2)(2)”, insofar as that reference is in force(3), substitute “9G(2)”.

(2) In paragraph 27(a) of schedule 3 to the 2012 Act (amendment of the Requirements of Writing (Scotland) Act 1995), for “9F(2)” substitute “9G(2)”.

The Land Registration etc. (Scotland) Act 2012 – evidence as to electronic testamentary documents in commissary proceedings

3. In paragraph 14 of schedule 5 to the 2012 Act (minor and consequential modification of the Succession (Scotland) Act 1964(4)), for “for “or 4” substitute “or 9D”” substitute “after “subscribed” insert “or under section 9C or 9D (or by virtue of section 9E(1)) of that Act to have been authenticated(5)””.

The Land Registration etc. (Scotland) Act 2012 – transitional provisions

4.—(1) In paragraph 11B of schedule 4 (transitional provisions on the assignation of registered leases: Sasine arrangements) to the 2012 Act(6), for “an assignation of a registered lease” substitute “a deed (except a sublease(7) or a notice of title(8)) which affects a lease title sheet(9)”.

(2) The heading to that paragraph becomes “Certain deeds relating to registered leases: Sasine arrangements”.

-
- (1) 1995 c.7, amended by the Petroleum Act 1998 (c.17), Schedule 5, Part 1, paragraph 1, the Scotland Act 1998 (c.46), Schedule 8, paragraph 31, S.I. 1999/1820, Schedule 2, Part 1, paragraph 118, the Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), schedule 12, Part 1, paragraph 58, S.I. 2000/2040, Schedule, Part 1, paragraph 17, the Housing (Scotland) Act 2001 (asp 10), schedule 10, paragraph 22, S.S.I. 2001/128, Schedule 4, paragraphs 4 and 5, the Title Conditions (Scotland) Act 2003 (asp 9), schedule 15, paragraph 1, S.S.I. 2006/491, article 3, the Companies Act 2006 (c.46), Schedule 16, paragraph 1, the Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3), sections 48(1) and 222(2) and (3), S.I. 2008/948, Schedule 1, Part 2, paragraph 199, S.I. 2009/1941, Schedule 1, paragraph 151 and the 2012 Act, sections 96, 97 and 98 and schedule 3 and subject to transitional provision in article 3(2) of S.S.I. 2014/41.
- (2) The reference to section 9F(2) was inserted by paragraph 27(a) of schedule 3 to the 2012 Act.
- (3) By virtue of article 2 and Part 2 of the Schedule to S.S.I. 2014/41, the reference to section 9F(2) was not brought into force by that instrument for the purposes of any will, testamentary trust disposition and settlement or codicil.
- (4) 1964 c.41 (“the 1964 Act”). Paragraph 14 amends section 21A of the 1964 Act (evidence as to testamentary documents in commissary proceedings) which was inserted by the Requirements of Writing (Scotland) Act 1995 (c.7) (“the 1995 Act”), Schedule 4, Part 2, paragraph 39.
- (5) Sections 9C, 9D and 9E of the 1995 Act are inserted by section 97(2) of the 2012 Act.
- (6) Paragraph 11B was inserted by article 6 of S.S.I. 2014/190.
- (7) See section 24(4) of the 2012 Act.
- (8) See section 24(6) of the 2012 Act.
- (9) Defined in section 113(1) to mean a title sheet for a lease registered in the Land Register.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
